

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TASER INTERNATIONAL, INC., *et al.*,

Plaintiffs,

v.

MORGAN STANLEY & CO., INC., *et al.*,

Defendants.

Civil Case No.

1:10-CV-03108-JEC

**DEFENDANT MERRILL LYNCH PROFESSIONAL CLEARING CORP.'S
MOTION FOR PERMISSION TO EXCEED PAGE LIMITATIONS IN ITS
REPLY MEMORANDUM IN SUPPORT OF ITS MOTION TO DISMISS
FOR LACK OF PERSONAL JURISDICTION
(AND MEMORANDUM IN SUPPORT)**

Merrill Lynch Professional Clearing Corp. ("ML Pro") moves the Court to enter an order granting leave to exceed the applicable page limit in ML Pro's reply memorandum in support of its motion to dismiss for lack of personal jurisdiction, which is attached as Exhibit A. The January 11, 2010 declaration of Brad M. Elias in support of the reply is attached as Exhibit B. Local Rule 7.1(D) provides for a fifteen (15) page limit, and ML Pro seeks leave for an additional four (4) pages (one of which contains only the signature block).

ML Pro contacted Plaintiffs' counsel on Wednesday, January 5, 2011, and asked that they consent to a motion asking this Court for permission to have five

extra pages for the reply brief. Plaintiffs declined to consent and indicated that they would oppose any request for extra pages. Thereafter, ML Pro continued to work to streamline the brief and bring its arguments within the page limit. We succeeded in getting the brief's text to within three pages of the limit and respectfully ask the Court to grant leave for these additional pages.

ML Pro wishes to present a full and complete reply to the issues and arguments raised in Plaintiffs' 28-page opposition [Docket No. 138]. Allowing ML Pro to fully address the factual and legal arguments in Plaintiffs' brief would promote the just, speedy and efficient resolution of this action.

For these reasons, ML Pro moves the Court for leave to exceed the page limit and file a reply memorandum in support of its motion to dismiss for lack of personal jurisdiction that is no greater than nineteen (19) pages, one of which contains signatures only.

Dated: January 11, 2011

/s/ Richard H. Sinkfield

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CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1(D), the undersigned counsel hereby certifies that the foregoing **DEFENDANT MERRILL LYNCH PROFESSIONAL CLEARING CORP.'S MOTION FOR PERMISSION TO EXCEED PAGE LIMITATIONS IN ITS REPLY MEMORANDUM IN SUPPORT OF ITS MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION (AND MEMORANDUM IN SUPPORT)** has been prepared in accordance with Local Rule 5.1(C) with 14-point Times New Roman font.

/s/ Richard H. Sinkfield

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CIVIL ACTION NUMBER:
1:10-CV-03108-JEC

CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2011, I caused a copy of the foregoing
**DEFENDANT MERRILL LYNCH PROFESSIONAL CLEARING CORP.'S
MOTION FOR PERMISSION TO EXCEED PAGE LIMITATIONS IN ITS
REPLY MEMORANDUM IN SUPPORT OF ITS MOTION TO DISMISS
FOR LACK OF PERSONAL JURISDICTION (AND MEMORANDUM IN
SUPPORT)** to be filed with the Clerk of Court using the CM/ECF system, which
will automatically send e-mail notification of such filing to the following attorneys
of record:

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and that I have caused a copy to be served by e-mail and I will cause a service copy to follow via U.S. Mail upon improvement in weather conditions in Atlanta on the following attorneys of record:

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